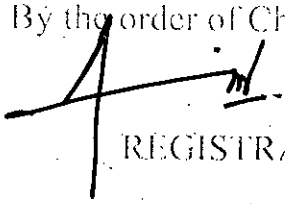


FORM OF ORDER SHEET

Court of _____

Appeal No. 109/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
/1	10/01/2024	<p>The appeal of Mr. Sher Nawab resubmitted today by Mr. Amjad Ali Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Pareha Peshi is given to counsel for the appellant.</p> <p>By the order of Chairman  REGISTRAR</p>

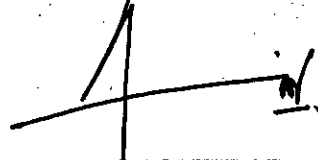
This is an appeal filed by Mr. Sher Nawab today on 12.12.2023 against the order dated 11.03.2017 against which he made/preferred departmental appeal/representation on 10.10.2023 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action and also removing the following deficiencies.

- ① Appeal has not been flagged/marked with annexures marks.
- 2- Memorandum of appeal is not signed by the appellant.
- ③ Annexure-C, D, E and F of the appeal are illegible which may be replaced by legible/better one.
- 4- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 3847 ZST,

Dt. 13/12/2023.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Amjad Ali Adv.
High Court Mardan.

Sir, All objections removed
and resubmitted after
completion
Amjad Ali
Advocate
8/1/24

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. 109 /2024

Sher Nawab S/O Alam Khan R/O Shakray Baba, Katlang Tehsil and District
Mardan Appellant

VERSUS

Govt of KPK through Secretary Elementary and Secondary Education
KP, Civil Secretariat Peshawar and others
..... Respondents

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3	Copy of the academic documents	B	11-13
4	Copy of the appointment order dated 24.04.1993	C	14
5	Copy of the adjustment order dated 11.05.1993	D	15
6	Copy of the order dated 13.02.1997	E	16
7	Copy of the KP Sacked Employees (Appointment) Act 2012	F	17-20
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Appellant
Through

Amjad Ali (Mardan)
Advocate
Supreme Court of Pakistan

Amjad Ali
ADVOCATE
SUPREME COURT

Dated: 12.12.2023

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. 109 /2024

Sher Nawab S/O Alam Khan R/O Shakray Baba, Katlang Tehsil and District
Mardan Appellant

VERSUS

1. Govt of KPK through Secretary Elementary and Secondary Education KP, Civil Secretariat Peshawar.
2. Secretary Elementary and Secondary Education KP, Civil Secretariat Peshawar.
3. Director of Elementary & Secondary Education KP at Directorate of E&SED Hashtangari Chowk, Near Qila Bala Hisar Peshawar.
4. District Education Officer (Male) Mardan Respondents

Appeal under Section 4 of Service Tribunal Act against the order dated 11.03.2017 passed by District Education Officer (Male) Mardan wherein appellant is removed from service w.e.f 08.09.2016 whereafter bail before arrest petition of the appellant is confirmed vide order dated 16.09.2023 and thereafter departmental appeal dated 16.09.2023 of the appellant duly diarized vide diary no 429 dated 16.09.2023 & 4989 dated 16.09.2023 remained un-responded despite lapse of 90x days which is illegal against law and facts without lawful authority, void ab initio and liable to be set aside.

Respected Sir,

Appellant humbly submits as under:

1. That appellant is a permanent resident of District Mardan (Copy of the CNIC & domicile of appellant is attached as Annexure A)
2. That appellant is equipped with qualification such as Matric, F.A, Certificate of Teaching (Copy of the academic documents is attached as Annexure B)
3. That appellant is appointed as Physical Education Teacher (BPS-09) vide appointment order dated 24.04.1993 (Copy of the appointment order dated 24.04.1993 is attached as Annexure C)
4. That appellant is adjusted as SV at GHS Garhi Kapura Mardan vide order dated 11.05.1993 (Copy of the adjustment order dated 11.05.1993 is attached as Annexure D)
5. That service of the appellant along with other employees is dispensed with/reversed vide order dated 13.02.1997 (Copy of the order dated 13.02.1997 is attached as Annexure E)

6. That KP Sacked Employees (Appointment) Act 2012 is promulgated by the Provincial Assembly of Khyber Pakthunkhwa wherein all sacked employees are re-appointed **(Copy of the KP Sacked Employees (Appointment) Act 2012 is attached as Annexure F)**
7. That appellant upon the recommendation of the Departmental Selection Committee, appellant is appointed as CT Teacher (BPS-15) vide notification dated 04.05.2013 **(Copy of the notification dated 04.05.2013 is attached as Annexure G)**
8. That pay of the appellant is released vide pay release order dated 22.06.2013 as evident from the service book **(Copy of the service book is attached as Annexure H)**
9. That appellant is falsely implicated in FIR No 564 dated 08.09.2016 under section 302, 324, 34 PPC along with Said Nawab, Sajid and Saadat Khan **(Copy of the FIR No 564 dated 08.09.2016 is attached as Annexure I)**
10. That major penalty of removal from service is imposed upon the appellant w.e.f 08.09.2016 **(Copy of the removal order dated 11-03-2017 is attached as Annexure J)**
11. That bail before arrest petition of the appellant is confirmed by the Learned Additional Session Judge Katlang Mardan vide order dated 16.09.2023 **(Copy of the order-06 dated 16.09.2023 is attached as Annexure K)**
12. That appellant filed departmental appeal dated 16.09.2023 to the Director/DEO(M) Mardan/Principal through proper channel which is received vide Endst No 429 dated 16.09.2023 which is forwarded to the DEO(M) Mardan & received in the office of DEO (M) Mardan vide diary no 4989 dated 16.09.2023 which remained un-responded despite lapse of statutory period **(Copy of the departmental appeal dated 16.09.2023 is attached as Annexure L)**
13. That appellant filed reminder dated 16.10.2023 addressed to Director E&SED duly dispatched through registered post No RGL116756996 which also remained un-responded **(Copy of the reminder dated 16.10.2023 along with post office receipt is attached as Annexure M)**
14. That impugned removal order dated 11.03.2017 passed by DEO(M) Mardan is illegal against law and facts on the following grounds:

GROUND:

- A. Because impugned order dated 11.03.2017 is illegal against law and facts.
- B. Because impugned order is a void order and nullity in the eye of law and not maintainable in the facts and circumstances of the case.
- C. Because impugned order is passed by incompetent authority, as per rule 4(3)(b)(ii) of KP Civil Servants (Appointment, Promotion and Transfer) Rules 1989, the competent authority for BPS-15 is Secretary to the Government or the Head of attached Department which is Director E&SED.

- D. Because the respondents have passed the impugned order of removal from service under the Removal from Service Ordinance 2000 which is illegal.
- E. Because the procedure prescribed in KP Government Servants E&D Rules 2011 Rule 5,6,7, 10, 11 have been ignored.
- F. Because the very first Para of the impugned order speaks of involvement of the appellant in murder case, then in such eventuality a separate charge sheet and statement of allegation with respect to charge of murder was necessary and a regular inquiry as per rules above was mandatory for awarding major penalty of removal from service which has been blatantly disregarded and on this score alone, the impugned order is nullity in the eye of law, illegal and without lawful authority.
- G. Because no opportunity of personal hearing has been afforded to the appellant at any stage.
- H. Because even the appellate authority didn't afford opportunity of personal hearing to the appellant.
- I. Because no one has been examined in presence of the appellant and no opportunity of cross examination has been afforded to the appellant.
- J. Because the show cause notice dated 18.11.2016 has not been served upon the appellant.
- K. Because the absentee notice has not been published in the Daily Mashriq dated 14.02.2017 with the direction to resume his duty within 14 days as per rule 9 of the KP Government Servant E&D Rules 2011.
- L. Because even the procedure in case of willful absence enshrined in rule 9 of the rules ibid with respect to issuance of notice by the competent authority through registered acknowledgment on his home address directing him to resume duty within 15 days of the issuance of the notice has not been complied with and in case of undelivered or no response, a mandatory notice shall be published in atleast two leading newspapers directing him to resume duty within 15 days of the publication of that notice, failing which an exparte decision be taken, has been blatantly violated.
- M. Because on the face of it, the 2nd publication in the newspaper has neither been issued nor mentioned in the impugned order and solely on this ground, the impugned order is illegal and against the clear mandatory provisions of the rules.
- N. Because it is well-settled principle that when the law requires a thing to be done in a particular form, it must be done in that form and not in any other form.
- O. Because impugned order has been given a retrospective effect from 08.09.2016 which is illegal as the officers can pass only orders with prospective effect.
- P. Because rule 9 of the rules ibid is not applicable to the case of the appellant as it is not falling within the definition and scope of willful absence as appellant has been falsely implicated in a murder case.

6

- D. Because the respondents have passed the impugned order of removal from service under the Removal from Service Ordinance 2000 which is illegal.
- E. Because the procedure prescribed in KP Government Servants E&D Rules 2011 Rule 5, 6, 7, 10, 11 have been ignored.
- F. Because the very first Para of the impugned order speaks of involvement of the appellant in murder case, then in such eventuality a separate charge sheet and statement of allegation with respect to charge of murder was necessary and a regular inquiry as per rules above was mandatory for awarding major penalty of removal from service which has been blatantly disregarded and on this score alone, the impugned order is nullity in the eye of law, illegal and without lawful authority.
- G. Because no opportunity of personal hearing has been afforded to the appellant at any stage.
- H. Because even the appellate authority didn't afford opportunity of personal hearing to the appellant.
- I. Because no one has been examined in presence of the appellant and no opportunity of cross examination has been afforded to the appellant.
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- O. Because impugned order has been given a retrospective effect from 08.09.2016 which is illegal as the officers can pass only orders with prospective effect.
- P. Because rule 9 of the rules ibid is not applicable to the case of the appellant as it is not falling within the definition and scope of willful absence as appellant has been falsely implicated in a murder case.

- 5
- Q. Because it is not simple absence but involvement in a murder case which at the most can be termed as misconduct as per rule 2(l) of the rules ibid and in such circumstances, as per rule 6, the appellant ought to be suspended or sent on forced leave in order to conduct a regular inquiry into the charge of criminal offence.
- R. Because as per reported judgments of the Honorable Supreme Court of Pakistan and this Honorable Tribunal reported in PLD 2018 SC 189, 2023 PCrLJ 1388, 2023 YLR 2525 when law requires a thing to be done in a particular form, it must be performed in that form or it must not be performed at all.
- S. Because the respondent has kept the proceeding under rule 9 as well as under rule 11 inchoate and has not completed either of the two.
- T. Because through impugned order an ex parte action has been taken against the appellant which are weakest type of proceedings and are normally not upheld by the Honorable Courts.
- U. Because appellant submitted an application to the DEO(M) Mardan for grant of leave w.e.f 08.09.2016 through diary no 325 dated 10.09.2016 which has not been rejected and in the circumstances, the so-called absence is beyond the control of the appellant. **(Copy of the application dated 10.09.2016 is attached as Annexure N)**
- V. Because appellant has performed his duty to the entire satisfaction of his superiors right from the date of his appointment i.e 24.04.1993 and there is no complaint whatsoever against the appellant.
- W. Because appellant has got 10 years service at his credit and in case of 10 years service, 05 years leave is available at the credit of the appellant whereas alleged absence period is w.e.f 08.09.2016 till 11.03.2017 which is about 06 months which could have been easily sanctioned in favour of the appellant while extending sympathetic consideration in view of forced circumstances beyond control of the appellant.
- X. Because impugned penalty is harsh and appellant is the sole bread-earner of a large family and not only appellant but his family, children and wife have been deprived of fruits of pension for which he strenuously worked for multiple span of years.
- Y. Because the impugned penalty is disproportionate while considering the past service of the appellant for more than a decade coupled with compelling circumstances as life of appellant was at risk at the hands of the enemy, although, he was innocent as enunciated in 2006 SCMR 60 that punishments are inflicted for the purpose of reformation.
- Z. Because the KP Government Servants E&D Rules 2011 are ultravires as they are not framed by the Provincial Government as per famous case of Mustafa Impex reported in PLD 2016 SC 808.
- AA. Because in the impugned rules, the Chief Minister is the framer of the rules as well as adjudicator as well as competent authority which functions cannot be clubbed in the same body.
- BB. Because the Removal from Service Ordinance 2000 has been repealed vide KP Removal from Service Special Powers Repeal Act 2011 (KP Act No XIV of 2011) have been passed by the Provincial

6

Assembly on 12th September 2011 and assented to by the Governor of the Khyber Pakhtunkhwa on 15.09.2011 (Copy of the KP Removal from Service Special Powers Repeal Act 2011 is attached as Annexure O)

CC. Because in the ibid repeal Act of 2011, section 2(3) reads as under:

“Subject to sub section 2, on the repeal of the said Ordinance, all disciplinary matters relating to persons in Government Service, to whom the Khyber Pakhtunkhwa Civil Servant Act 1973 (Act No XVIII of 1973) and the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 1973 apply shall be governed under the aforesaid Act and the rules made thereunder.”

DD. Because when the repeal Act of 2011 speak of the fact that E&D Rules 1973 shall be applicable on 15 September 2011 as per mandate of the Provincial Assembly, then the KP Government Servant (E&D) Rules 2011 on 16th September 2011 by the Chief Minister in his executive capacity as against the mandate and power of Provincial Assembly is totally nullity in the eye of law and cannot raise head in presence of legislative instrument.

EE. Because appellant has been prejudiced in his defense as per KP Government Servants E&D Rules 1973, his case has not been examined by the authority, authorized officer, inquiry officer and appellate authority thus the 04 officers who were required to independently apply their mind didn't consider the case of the appellant which is a serious illegality not curable.

FF. Because rule 8(a) of the E&D Rules 1973 regarding publication in two leading newspaper has not been complied with.

GG. Because KP Government Servants E&D Rules 2011 have been apparently shown to have been framed under the enabling provision of Section 26 of the KP Civil Servant 1973 whereas section 26 of the KP Civil Servants Act 1973 empowers the Governor or any other person authorized by the Governor in his behalf may make such rules as appear to him to be necessary or expedient for carrying out the purposes of this Act whereas there is no special authorization by the Governor for framing of the E&D Rules when particularly the Provincial legislative assembly has considered Government Servant E&D Rules 1973 as suffice and specifically made applicable in case of repeal of KP RSO 2000

HH. Because section 26 of the KP Civil Servant Act 1973 is ultravires as after 18th amendment and as per current position of the Constitution of Pakistan 1973 read with famous judgment of Mustafa Impex reported in PLD 2016 SC 808, Government has to frame the rules, so the enabling provision of section 26 wherein framing of rules has been delegated to a persona designate like Governor or Chief Minister who cannot be termed as Provincial as Provincial Government is defined in the Constitution as Chief Minister along with his cabinet, so the framing of rules by the Governor as well as his further delegate i.e Chief Minister are ultravires.

II. Because even as per KP Government Servant E&D Rules 2011, the entire action has been initiated/culminated/adjudicated by a single

officer i.e District Education Officer (Male) Mardan and the case of the appellant has not been independently examined by the inquiry officer and appellate authority.

JJ. Because rule 23 of the KP Government Servants E&D Rules 2011 stipulates regarding repeal of KP Government Servants E&D Rules 1973 which is infact an inferior, delegated legislation as against the original legislation by the Provincial Assembly in the shape of KP Removal from Service (Special Powers) Repeal Act 2011 assented to by the Governor KP on 15th September 2011.

KK. Because appellant has not been dealt in accordance with law thereby infringing Article 4 of the Constitution of Pakistan 1973.

LL. Because appellant is discriminated thereby infringing Article 25 and 27 of the Constitution of Pakistan 1973.

MM. Because appellant remained jobless in the entire period and is entitled for back benefits.

It is therefore humbly prayed that on acceptance of this service appeal;

- I. Impugned removal order dated 11.03.2017 passed by DEO(M) Mardan may please be set aside and appellant may please be reinstated in service with all monetary and service benefits.
- II. The KP Government Servants (E&D) Rules 2011 may please be declared as ultravires of the section 2(3) of the KP Removal from Service (Special Powers) Repeal Act 2011 wherein KP Government Servant E&D Rules 1973 have been specifically made applicable to the case of the appellant.
- III. Section 26 of the KP Civil Servants Act 1973 may please be declared as ultravires as the legislature cannot delegate its authority of framing of rules to a person as it would lead to dictatorial interference.
- IV. Any other relief deemed fit in the circumstances of the case and not specifically asked for may also be graciously granted.

Through

Appellant

Amjad Ali
ADVOCATE
SUPREME COURT

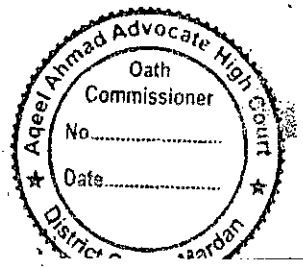
Amjad Ali (Mardan)
Advocate
Supreme Court of Pakistan

Dated: 12.12.2023

AFFIDAVIT

I, Sher Nawab S/O Alam Khan R/O Shakray Baba, Katlang Tehsil and District Mardan (appellant) do hereby solemnly affirm and declare that all the contents of this service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Tribunal.

Deponent



Aux (A) (B)

PAKISTAN National Identity Card
ISLAMIC REPUBLIC OF PAKISTAN

Name: Sher Nawab
 Father Name: Alam Khan
 Gender: M Country of Stay: Pakistan
 Identity Number: 16101-7506642-5 Date of Birth: 08.04.1968
 Date of Issue: 25.08.2023 Date of Expiry: 25.08.2033

Holder's Signature

16101-7506642-5

سید شہد کا رولڈ نمبر پر تقریبی ایئر بکس میں ڈال دیں

504271331212
123-88-223073

Registrar General of Pakistan

Amjad
 Amjad
 ADVOCATE
 SUPREME COURT

COURTS



DOMICILE CERTIFICATE

9

Sher-Nawab Son/Daughter of Alam-Khan

be that I was born of parents who are permanently domiciled in North-West Frontier Province having been born/settled* in this Province.

I was born at Village/Mohallah Shekri-Baba (Kattlang)

Tehsil 1 and District Mardan.

Sh
Signature of the applicant
Date:- 20.8.87

Persuance to the declaration dated 20.8.1987 filed by Mr/Ms Sher-Nawab Son/Daughter of Alam Khan domiciled in North-West Frontier Province, it is hereby certified that the said Sher-Nawab is born of parents who are permanent residents of the North-West Frontier Province having been born/settled* within it.

I have satisfied myself from personal Knowledge/verification* that the above declaration is true and certify accordingly.

This 22nd day of August 1987.

Attended
21.5.13

Name:-
Designation:- **MAGISTRATE 1st Class**
MARDAN/SWABI-
(Seal)

COUNTERSIGNED

[Signature]

DISTRICT MAGISTRATE
MARDAN
(Seal)

[Signature]
ADVOCATE
SUPREME COURT

No 3596 /G. Dated 22/8/87

(*Strike out which ever is not applicable)

شیخداداد علی

10

صبا عالی

داری کور / جانتا مول اور سابق شیخداداد علی خان

داری کور / جانتا مول اور سابق شیخداداد علی خان

داری کور / جانتا مول اور سابق شیخداداد علی خان

داری کور / جانتا مول اور سابق شیخداداد علی خان

صبا عالی

داری کور / جانتا مول اور سابق شیخداداد علی خان

Fawaz Khan

28/8

Amjad Ali
ADVOCATE
SUPREME COURT

DAMRUZ ZAMAN

Handwritten signature

Roll No. 11426

Aux (B)
11

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Peshawar N.W.F.P. Pakistan

INTERMEDIATE EXAMINATION

Humanities Group

SESSION (SUPPLEMENTARY) 1990

THIS IS TO CERTIFY THAT Sher Nawab

Son/Daughter of Alam Khan

and a resident of Mardan District.

Registered No. _____ has passed the *Intermediate Examination* of

the Board of Intermediate & Secondary Education, Peshawar held in Feb/March 1990

as a *Private candidate*. He/She obtained 433 Marks out of 1100

and has been placed in Grade Representing Satisfactory

The Examination was taken as a whole/in parts.

T.H.B.
Makhatar Ali

M.A. M. Ed.
S.E.P. D.P.S. 17

G.H.S. S. Kattan

Attested

[Signature]
Secretary

[Signature]
Asstt. Secretary

This certificate is issued without alteration or erasure

[Signature]
ADVOCATE
SUPREME COURT

0258952

Roll No. 11426

12

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION

Peshawar N.W.F.P. Pakistan

INTERMEDIATE EXAMINATION

Humanities Group

SESSION (SUPPLEMENTARY) 1990

THIS IS TO CERTIFY THAT Sher Nawab
 Son/Daughter of Alam Khan
 and a resident of Mardan District.
 Registered No. _____ has passed the *Intermediate Examination* of
 the Board of Intermediate & Secondary Education, Peshawar held in Feb/March 1990
 as a *Private candidate*. He/She obtained 433 Marks out of 1100
 and has been placed in Grade E Representing Satisfactory
 The Examination was taken as a whole/in parts.

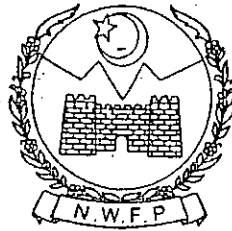
[Signature]
 Asstt. Secretary

[Signature]
 Mubtaz Ali
 M.A. M. Ed.
 S.E.T. B.P.S. 17
 G.H.S. S. Kattan

[Signature]
 Attested
 Secretary

[Signature]
 ADVOCATE
 SUPREME COURT

(B)
EDUCATION DEPARTMENT, N.W.F.P., PESHAWAR



CERTIFICATE OF TEACHING

ROLL NO. 1843 Marks Obtained 628/1200 Division Second (II)

Certified that Sher Nawab,

born on 8-4-1968 (Eighth April, Nineteen hundred and Sixty Eight.)

Son/Daughter of Alam Khan.

resident of XXX Tehsil XXX District Mardan.

having passed the CERTIFICATE OF TEACHING EXAMINATION held in 1997 is qualified to teach in the Middle Department of an Anglo-Vernacular School.

Trained at the Government Training School. Private.

Wahab Baizai
B.S. PESHAWAR, P.C.P.S. (CC)
SPECIALIST
Dated 19/11/98
The M.A. H.G. Hospital

Prepared by: _____

Checked by: _____

Registrar,
Departmental Examinations,
Education Department, Peshawar

Amjad Ali
ADVOCATE
SUITORS COLLY

OFFICE OF THE DIVL: DIRECTOR SECT: EDUCATION MARDAN DIVN: MARDAN.
OFFICE ORDER:

Consequent upon the advertisement published in the Daily Mashriq dated, 10/1/93. Interview held on 10/2/1993. By the Departmental Selection Committee Mardan and merit list drawn according to the Govt: rules and law the following appointments of PPT. (Male) / candidate / against PPT. post, are hereby ordered in BPS-9 @ Rs. 11852-72-2265 plus usual allowance and gratuity benefit admissible to Govt: Servants as per prescribed rules with immediate effect against the post shown their names on the following terms and conditions.

Aux (C)
(14)

<u>Name/parent/age/address/qualification</u>	<u>Where appointed</u>	<u>Remarks</u>
Shah Nawab S/o Alam Khan PPT. B/O Vill: Shakhzad Bala Tehsil Distt: Mardan.	CHS, Kalu Khan (Swabi).	Subject to report post

TERMS AND CONDITIONS:

- 1- Their appointments are purely temporary and liable to termination reversion at any time without assigning any reasons.
- 2- In case of resignation they will have to submit one month's prior notice to the Department and forfeit one month's pay in lieu thereof to the Govt: of NWFP.
- 3- All original Educational/prof: domicile certificates should be checked thoroughly before handing over charge if necessary it should be certified/verified from the institution concerned.
- 4- His/her/their attested photo copies typed copies of all certificates degrees certificates character certificates Medical certificates of physical fitness issued by authorised Civil surgeon/Medical Officer verification of his/their antecedents from concerned D.S.P/S.P should be retained on his/their personal files and submit to this office for record alongwith charge report.
- 5- He is liable to be posted any where in Mardan Divn: and he/she shall not be transferred from his/her present place of posting before maturation of tenure of three years continuous and satisfactory service.
- 6- His/Her age should not exceed 30 years.
- 7- If the above mentioned conditions are acceptable to him then he/she/they should be given charge within a week and under-taking obtained and placed and a copy be sent to this office.
- 8- No TA/DA/PG etc: is allowed.

(HAZROOF SALAM)
 DIVL: DIRECTOR SECT: EDUCATION
 MARDAN DIVN: MARDAN.
 Dated 24/4/93/1992.

Endat: No. 8299-8304/

Copy forwarded for information to the:-

- 1- District Education Officer concerned. (Lcl) Sec, Sec:5.
- 2- Sub-Divisional Education Officer concerned.
- 3- Principal/Headmasters/Headmistress of concerned school in Mardan Division. CHS, Kalu Khan (Swabi).
- 4- Candidate concerned.
- 5- Supdt: Local Directorate.
- 6- P/File of concerned candidate.

Munir Ahmad
 ADVOCATE
 SUPREME COURT

Hazroof Salam
 DIVL: DIRECTOR SECT: EDUCATION
 MARDAN DIVN: MARDAN.

**OFFICE OF THE DIVL: DIRECTOR SECN: EDUCATION MARDAN DIVN:
MARDAN**

OFFICE ORDER:

Consequent upon the advertisement published in the Daily Mashriq dated 10.1.93, Interview held on 10.02.1993 by the Departmental Selection Committee Mardan Division Mardan and merit list drawn according to the Govt: Rules and law the following appointments of PE (Male) /...../Candidation/..... against PET. Post, are hereby ordered in BPS-9 Rs. 1185-72-2265 plus usual allowance and from the benefit admissible to Govt Servants as per prescribed rules with immediate effect against the post shown their names on the following terms and conditions.

1 Sher Nawab S/o Alam Khan MA GHS PO Swbi Against the
PET R/o VII Shak Baba Tehsil & vacant post
Distirct Mardan

Terms & Conditions:

1. Their appointments are purely temporary and liable to termination reversion at any time without assigning any reasons.
2. In case of resignation they will have to submit one months prior notice to the department are forfeit one months pay in lieu thereof to the govt of NWF.
3. All original educational/ prof: domicile certificates should be checked thoroughly before handing over charge if necessary at would be certified/ verified from the institution concerned.
4. His/ her/ their attested photo copies typed copies of all certificates degrees certificates character certificates Medical Certificates of Physical fitness issued by authorized civil surgeon/ medical officer verification of his/ their antecedents from concerned DSP/SP should be retained on his/ their personal files and submit to this office for record alongwith charge report.
5. He is liable to be posted any where in Mardan Divn and he/ she shall not be transferred from his/ her person place of posting before maturation of tenure of three years continuous and satisfactory service.
6. His/ her age should not exceed 30 years.
7. If the above mentioned conditions are acceptable to him them he/ she / they should be given charge within a week and under taking obtained and placed and a copy be sent to this office.
8. NO TA/DA/TG etc is allowed.

Mazroof Salam
Divl: Director Secy: Education
Mardan Divn: Mardan.

Endst No. 8299-8304/-

Dated 24.04.93

Copy forwarded for information to the:-

1. District Education Officer (Male) Sec, Swabi.
2. Sub Divisional Education Officer concerned.
3. Principal/ Headmasters/ Headmistress of concerned school in Mardan Division, GHS, Kalu Khan Swabi.
4. Candidate concerned.
5. Supdt: Local Directorate.
6. P/ File of concerned candidate.

Divl: Director Secy: Education
Mardan Divn: Mardan.

SECRET

AI

D. G. Khan

10

97

Aux (D)

15

98

10

DIVISION OF SECONDARY EDUCATION MARDAN DIVISION MARDAN.

ADJUSTMENT

Mr. Nawab S/O Alan Khan R/O Shakary Hilli Katlona
appointed as TEF at GUS Kalo Phan Swabi vide this
office order no. 3290-3304 dated, 24.4.93 is hereby adjusted
against Mr. S/O at GUS Garhi Kapura Mardan vide of Sakir Ali
suspension from service in the interest of public service, w.a. from
one date to taking over charge.

Notes: None allowed.

Report should be submitted to all concerned.

(TYPEWROTE SIGNATURE)

DIVISION DIRECTOR OF SECONDARY
EDUCATION MARDAN DIVISION
MARDAN.

Endst: K. 30-31 / PF/S. Nawab/PET/AE/V/Dated, 11/5/93.

Copy forwarded to the:-

1. District Education Officer (H) Mardan.
2. District Education Officer (M) Mardan.
3. Principal GUS Garhi Kapura Mard
4. In-charge GUS Kalo Khan Swabi
5. File.

PRINCIPAL
GUS, Garhi Kapura
(Mardan)
29/10/14

Amjad Ali
ADVOCATE
SUPREME COURT

DIRECTORATE OF EDUCATION (FATA) NWFP PESHAWAR

Divn Directorates of Secondary Education Mardan Division Mardan.

ADJUSTMENT

That Sher Nawab S/o Alam Khan r/o Shakery Killi Katlang Mardan is hereby appointed as PET at GHS Kalo Khan Swabi vide this office order ENdst No. 8290-8304 dated 24.04.93 is hereby adjusted against the post at GHS Garhi Kapura Mardan vice Sahir Ali who suspended from service in the interest of public service, w.e.f from the date of taking over charge.

Note: No TADA is allowed
Report should be submitted to all concerned.

Mazroof Sadak
Divl: Director of Secondary
Education Mardan Division
Mardan

Endst No. 30-34/PP/S nawab/ PET/ AE? V/ dated 11.015.93
Copy forwarded to the:-

1. District Education Officer (M) Secondary Mardan.
2. District Education Officer (M)
3. Principal GHS Garhi Kapura Mardan
4. Headmaster GPS Kao Khan Swabi
5. Office File.

Alx (E) (44)

OFFICE OF THE DIVISIONAL DIRECTOR SECONDARY EDUCATION MARDAN DIVISION MARDAN.
OFFICE ORDER.

16

On perusal of the relevant record, the appointment of the following persons (CT/SV(II)) have been found illegal, ab initio void and against the prescribed rules, Their services are, therefore, hereby dispensed with/ reverted with immediate effect.

S.No. Name & School.

1. Jehan Badshah CT GHS, Gajsi (Swabi).
2. Muhammad Ghufraan GHS, Qabra (Swabi) working against SET post.
3. Muhammad Inran GHS, Lund Khar (Mardan).
4. Perviz Khan GHS, Shewa (Swabi).
5. Sajjad Anwar AWI GHSS, Shabbaz Gahri (Mardan).
6. Iqbal Hussain GHS, Sikandari (Mardan).
7. Sher Nawab SV GHS, Ikras Par now at GHS, Mala Dheri (Mardan).
8. Muhammad Ali CT GHS, Ghaz Killi (Mardan).
9. Abdul Saleem GHS, Sher Dara now at GHS, Pabini (Swabi).
10. Arshad Zaman CT GHS, Purana Hoti (Mardan).
11. Istraaj CT GHS, Bijli Ghar (Mardan).
12. Muhammad Arif CT GHS, Eid Gah (Mardan).
13. Chayasud Din CT GHS, Khora Banda (Mardan).

(WIZAR AHMAD)
DIVISIONAL DIRECTOR SECONDARY EDUCATION
MARDAN DIVISION MARDAN

Order No. 3122-6 /CT/SV(M)AE-II, Dated Mardan the 13/2/1997.

Copy forwarded to the:-

1. P.S. to Chief Secretary N.W.F.P. Peshawar.
2. P.S. to Secretary Education N.W.F.P. Peshawar.
3. Director Secondary Education N.W.F.P. Peshawar.
4. District Edu: Officer (M) Secy: Mardan.
5. District Education Officer (M) Secy: Swabi.
6. District Education Officer (M) Pry: Mardan.
7. District Education Officer (M) Pry: Swabi.
8. Distt: Accounts Officer Mardan.
9. District Accounts Officer Swabi.
10. Principals/Headmasters concerned.
11. Candidates concerned.
12. P/Files.

Amjad exri
ADVOCATE
SUPREME COURT

**OFFICE OF THE DIVL DIRECTOR SECONDARY EDUCATION MARDAN
DIVN MARDAN**

OFFICE ORDER

On perusal of the relevant record, the appointment of the following persons (CT/ SV (II) have been found illegal ab initio void and against the prescribed rules, their services are, therefore, hereby dispensed with/ reverted with immediate effect.

S. No	Name & School
1.	Jehan Badshah CTR GHS, Gujai Swabi.
2.	Muhammad Ghufraan GHS, Qadra (Swabi) Working against SET post.
3.	Muhammad Imran GHS, Lund Khwar Mardan
4.	Parvai Khan GHS, Shewa (Swabi)
5.	Sajjad Anwar AWI GHSS, Shahbaz Garhi Mardan
6.	Iltaf Hussain GHS, Sikandari (Mardan)
7.	Sher Nawab SV GHS, Ikram pur now at GHS, Mala Dheri (Mardan)
8.	Muhammad ali CT CMS, Ghaz Kili Mardan
9.	Abdul Saleem GMS, Sher Dara now at GMS, Pabini Swabi.
10.	Arshad Zaman CT GMS, Purana Hoti Mardan
11.	Istraj CT GMS Bijli Ghar Mardan
12.	Muhammad arif CT GMS, Eid Gah (Mardan)
13.	Ghayasuddin CT GMS, Khora Banda (Mardan)

Wiqar Ahmad
Divil: Director Secondary Education
Mardan Division Mardan

Endst No. 3988-G/ CT/ SV(M) AE ID dated Mardan the 03.02.1997.

Copy forwarded to the:-

1. P.S to Chief Secretary NWFP Peshawar.
2. PS to Secretary Education NWFP Peshawar.
3. Director Secondary Education NWFP Peshawar.
4. District Education Officer (M) Secy: Mardan.
5. District Education Officer (M) Secy Swabi.
6. District Education Officer (M) Pry: Mardan.
7. District Education Officer (M) Pry: Swabi.
8. Distt Accounts Officer Mardan.
9. District Accounts Officer Swabi.
10. Principals/ Headmasters concerned.
11. Candidates concerned.
12. P Files.

Divil: Director Secondary Education
Mardan Division Mardan



Aux (P)
(17)

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 20TH SEPTEMBER, 2012.

PROVINCIAL ASSEMBLY SECRETARIAT,
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 20th September, 2012.

No. PA/Khyber Pakhtunkhwa/Bills/2012/6077.—The Khyber Pakhtunkhwa Sacked Employees (Appointment) Bill, 2012 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 10th September, 2012 and assented to by the Governor of the Khyber Pakhtunkhwa on 17th September, 2012 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA SACKED EMPLOYEES (APPOINTMENT) ACT, 2012

(KHYBER PAKHTUNKHWA ACT NO. XVII OF 2012)

(first published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa (Extraordinary), dated the 20th September, 2012).

AN
ACT

to provide relief to those sacked employees in the Government service, who were dismissed, removed or terminated from service, by appointing them into the Government service

WHEREAS it is expedient to provide relief to those sacked employees who were appointed on regular basis to a civil post in the Province of the Khyber Pakhtunkhwa and who possessed the prescribed qualification and experience required for the said post, during the period from 1st day of November, 1993 to the 30th day of November, 1996 (both days inclusive) and were dismissed, removed, or terminated from service during the period from 1st day of November, 1996 to 31st day of December, 1998 on various grounds:

WHEREAS the Federal Government has also given relief to the sacked employees by enactment:

M. Anjum Ali
ADVOCATE
SUPREME COURT

18

AND WHEREAS the Government of the Khyber Pakhtunkhwa has also decided to appoint sacked employees on regular basis in the public interest:

It is hereby enacted as follows:

1. Short title, extent and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012.

(2) It shall apply to all those sacked employees, who were holding various civil posts during the period from 1st day of November, 1993 to 30th day of November, 1996 (both days inclusive)

(3) It shall come into force at once.

2. Definitions.--- In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say, -

(a) "civil post" means a post created by the Finance Department of Government for the members of civil service of the Province;

(b) "Department" means the Department and the Attached Department defined in the Khyber Pakhtunkhwa Government Rules of Business, 1988 including the Divisional and District offices working thereunder;

(c) "Government" means the Government of the Khyber Pakhtunkhwa;

(d) "Prescribed" means prescribed by rules;

(e) "Province" means the Province of the Khyber Pakhtunkhwa;

(f) "rules" means the rules made under this Act; and

(g) "sacked employee" means a person who was appointed on regular basis to a civil post in the Province and who possessed the prescribed qualification and experience for the said post at that time, during the period from 1st day of November, 1993 to the 30th day of November, 1996 (both days inclusive) and who was dismissed, removed, or terminated from service during the period from 1st day of November, 1996 to 31st day of December, 1998 on the ground of irregular appointments.

3. Appointment of sacked employees.---Notwithstanding anything contained in any law or rule in force at the time being in force, on the commencement of this Act, all sacked employees subject to section 2 may be appointed in their respective cadre of their concerned Department, in which they occupied civil posts before their dismissal, removal and termination from service:

Provided that the sacked employees shall be appointed against thirty percent of the available vacancies in the said Department:

Provided further that the appointment of sacked employees shall be subject to the medical fitness and verification of their character antecedents to the satisfaction of the concerned competent authority.


ADVOCATE
SUPREME COURT

EXTRAORDINARY
GOVERNMENT

REGISTERED NO. PIII
GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 20TH SEPTEMBER, 2012.

PROVINCIAL ASSEMBLY SECRETARIAT,
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 20th September, 2012.

No. PA/Khyber Pakhtunkhwa/Bills/2012/6077. The Khyber Pakhtunkhwa Sacked Employees (Appointment) Bill, 2012 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 10th September, 2012 and assented to by the Governor of the Khyber Pakhtunkhwa on 17th September, 2012 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA SACKED EMPLOYEES (APPOINTMENT) ACT,
2012
(KHYBER PAKHTUNKHWA ACT NO. XVII OF 2012)

(first published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa (Extraordinary), dated the 20th September, 2012).

AN
ACT

to provide relief to those sacked employees in the Government service, who were dismissed, removed or terminated from service, by appointing them into the Government service

WHEREAS it is expedient to provide relief to those sacked employees who were appointed on regular basis to a civil post in the province of the Khyber Pakhtunkhwa and who possessed the prescribed qualification and experience required for the said post, during the period from 1 day of November, 1993 to the 30th day of November, 1996 (both days inclusive) and were dismissed, removed, or terminated from service, during, the period from 14 day of November, 1996 to 31 day of December, 1998 on various grounds.

WHEREAS the Federal Government has also given relief to the sacked employees by enactment:

**146 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE,
EXTRAORDINARY, 20th SEPT 2012**

AND WHEREAS the Government of the Khyber Pakhtunkhwa has also decided to appoint, sacked employees on regular basis in the public interest; It is hereby enacted as follows:

1. **Short title extent and commencement**(1) This Act may be called the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012.

(2) It shall apply to all those sacked employees, who were holding various civil post. during the period from 1st day of November, 1993 to 30th day of November, 1996 (both days inclusive).

(3) It shall come into force at once.

2. **Definitions.** In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say,-

(a) "civil post" means a post created by the Finance Department of Government for the members of civil service of the Province:

(b) "Department" means the Department and the Attached Department 3: declined in the Khyber Pakhtunkhwa Government Rules of Business. 1985 including the Divisional and District offices working there-under,

(c) "Government" means the Government of the Khyber Pakhtunkhwa;

(d) "Prescribed" means prescribed by rules:

(e) "Province" means the Province of the Khyber Pakhtunkhwa:

(f) "rules" means the rules made under this Act; and


(g) "sacked employee" mean, a person who was appointed on regular basis to civil post in the Province: and wild possessed the prescribed qualification an experience for the said post at that time, during the period from 1 day November, 1995 to the 30 day of November, 1995 (both days inclusive) an was dismissed, removed, or terminated from service during the period from: day of November, 1996 to 31 day of December, 1998 on the ground Irregular appointments.

3. **Appointment of sacked employees.** Notwithstanding anything contained in any law or rule f the time being in force, on the commencement of this Act, all sacked employees subject to section may be appointed in their respective cadre of their concerned Department, in which they occupied the posts before their dismissal, removal and termination from service:

Provided that the sacked employees shall be appointed against thirty percent of the available vacancies in the said Department:

Provided further that the appointment of sacked employees shall be subject to the medic fitness and verification of their character antecedents to the satisfaction of the concerned compete authority

4. Age relaxation.— The period during which a sacked employee remained dismissed, removed or terminated from service, till the date of their appointment shall be deemed to have been automatically relaxed and there shall be no further relaxation under any rules for the time being in force.
5. Sacked employees shall not be entitled to claim seniority and other back benefits.— A sacked employee appointed under section 3, shall not be entitled to any claim of seniority, promotion or other back benefits and his appointment shall be considered as fresh appointment.
6. Preference on the basis of age.— On the occurrence of a vacancy in the respective cadre of the concerned Department of the sacked employee against the thirty percent available share, preference shall be given to the sacked employee who is older in age.
7. Procedure for appointment.—(1) A sacked employee, may file an application, to the concerned Department within a period of thirty days from the date of commencement of this Act, for his appointment in the said Department.
Provided that no application for appointment received after the due date shall be entertained.
(2) The concerned Department shall maintain a list of all such sacked employees whose applications are received under sub-section (1) in the respective cadres in chronological order.
(3) If any vacancy occurs against the thirty percent available share of the sacked employee in any Department, the senior in age from such sacked employee shall be considered by the concerned Departmental Selection Committee or the District Selection Committee, as the case may be, to be constituted in the prescribed manner, for appointment.
Provided that no willingness or response is received within a period of thirty days, the next senior sacked employee shall be considered for appointment.
(4) The concerned Departmental Selection Committee or District Selection Committee, as the case may be, will determine the suitability or eligibility of the sacked employee.
(5) If no sacked employee is available against thirty percent vacancy reserved in respective cadre in a Department, then the post shall be filled through initial recruitment.
8. Removal of difficulties.— If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister Khyber Pakhtunkhwa may issue such order not inconsistent with the provision of this Act, as may appear to him to be necessary for the purpose of removing the difficulty.
Provided that no such power shall be exercised after the expiry of one year from coming into force of this Act.


Amjad Sadi
ADVOCATE
SUPREME COURT

20

148 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 20th SEPTEMBER, 2012.

- 9. Act to override other laws.--- Notwithstanding anything to the contrary contained in any other law or rules for the time being in force, the provisions of this Act shall have overriding effect and the provisions of any other law or rules to the extent of inconsistency to this Act, shall cease to have effect.
- 10. Power to make rules.--- Government may make rules for carrying out the purpose of this Act.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(AMANULLAH)
Secretary,
Provincial Assembly of Khyber Pakhtunkhwa

Printed and published by the Manager,
State & Pub. Dept. II, Khyber Pakhtunkhwa, Peshawar.

Amjad Sadiq
ADVOCATE
SUPREME COURT

20/9/12

147 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE,
EXTRAORDINARY, 20th SEPT 2012

4. Age relaxation. The period during which a sacked employee remained dismissed, removed or terminated from service, till the date of their appointment shall be deemed to have been automatically relaxed and there shall be no further relaxation under any rules for the time being in force.

5. Sacked employees shall not be entitled to claim seniority and other back benefits.... A sacked employee appointed under section 3, shall not be entitled to any claim of seniority, promotion or other back benefits and his appointment shall be considered as fresh appointment.

6. Preference on the basis of age-On the occurrence of a vacancy in the respective cadre of the concerned Department of the sacked employee against the thirty percent available share, preference shall be given to the sacked employee who is older in age.

7. Procedure for appointment (1) A sacked employee, may file an application, to the concerned Department within a period of thirty days from the date of commencement of this Act, for his appointment in the said Department

Provided that no application for appointment received after the due date shall be entertained,

(2) The concerned Department shall maintain a list of all such sacked employees whose applications are received under sub-section (1) in the respective cadres in chronological order.

(3) If any vacancy occurs against the thirty percent available share of the sacked employee in any Department, the senior in age from such sacked employee shall be considered by the concerned Departmental Selection Committee or the District Selection Committee, as the case may be, to be constituted in the prescribed manner, for appointment.

Provided that no willingness or response is received within a period of thirty days, the next senior sacked employee shall be considered for appointment.

(4) The concerned Departmental Selection Committee or District Selection Committee, as the case may be, will determine the suitability or eligibility of the sacked employee.

(5) If no sacked employee is available against thirty percent vacancy reserved in respective cadre in a Department, then the post shall be filled through initial recruitment.

8. Removal of difficulties. If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister Khyber Paakhtunkhwa may issue such order not inconsistent with the provision of this Act, as may appear to him to be necessary for the purpose of removing the difficulty:

Provided that no such power shall be exercised after the expiry of one year from coming into Force

9. Act to override other laws.... Notwithstanding anything to the contrary contained in any other law or rules for the time being in force , the provisions at thus Act shall have overriding effect and the provisions of any other law or rules to the extent of inconsistency to this Act, shall cease to have effect.

10. Power to make rules.... Government may make rules for carrying out the purpose of this Act.

BY ORDER OF MR. SPEAKER

PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(AMANULLAH)

Secretary
Provincial Assembly of Khyber Pakhtunkhwa



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ELEMENTARY
& SECONDARY EDUCATION MARDAN.
Phone #: 0937-9230151 Email: emismardan@yahoo.com

Ann- G

(21)


Notification: In the light of sacked employees (appointment) Act -2012 (Khyber Pakhtunkhwa Act No XVII of 2012) and @ of 30% share from the available vacant post, a meeting of DSC held in the office of DEO (Male) Mardan, on 28-02-2013. at 10:00 am. By the recommendation of DSC, the competent authority for the appointment of CT BPS-15 approved 5 candidate for appointment as CT Teacher in (BPS-15/Rs 8500-700-29500 + equal allowances as admissible to them under the rules. They appointed against the vacant posts but two post remained vacant in his quota and one person not joint the post. therefore by the acceptances of appeals of the three eligible candidates they are hereby appointed as CT Teacher w.e.f the date of his taking over charge in the interest of public service subject to the following terms and conditions.

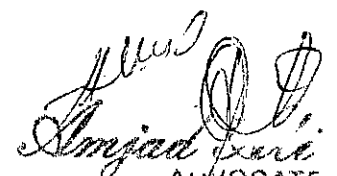
30% sacked employees Quota CT (Male)

Name of Candidate	Father Name	School where appointed	Remarks
Sher Nawab	Alam Khan	G.H.S Gumbat	Against vacant post
Shehr-e-yar	Khan Badshah	G.H.S Gumbat	Against vacant post
Ghayas uddin	Haji Mahab uddin	GMS Mahmood Abad	Against vacant post

Terms and Conditions:

1. Their services are liable to termination on one months notice from either side in case of resignation without notice their one month pay / allowance shall be forfeited to the government.
2. They should join their post within 15 days of the issuance of this notification. In case of failure to join their post 15 days of the issuance of this notification, their appointment will expire automatically and no subsequent appeal etc shall be entertained.
3. They will be on probation for a period of one year extendable for another one year.
4. He will be governed by such rules and regulations as may be issued from time to time by the Govt.
5. They will be governed by such rules and regulation as contained in the Khyber paktunkhwa sacked employees Act 2012 and other if may be issued from time to time by the government.
6. Their services can be terminated at any time, in case their performances are found unsatisfactory during probationary period. In case of misconduct, they will be proceeded under the rules framed from time to time.


DISTRICT EDUCATION OFFICER (MALE) MARDAN


AMJAD JURI
ADVOCATE
SUPREME COURT

(22)

7. The Head teacher/ ASDEO.S concerned would furnish a certificate to the effect that the candidate has joined the post or otherwise after 15 days of the issue of his posting order will cancel.
8. They are directed to furnish copies of all sort of certificate /degrees/diploma etc along with their original receipt and photocopies of testimonials pertaining to the verification fee of concerned examination bodies (Board/universities etc) to the District education officer (Male) Mardan. If any certificate/degree/domicile etc of any candidate found fake or bogus in the verification process so they will be terminated without further notice and he will be hand over to Anti Corruption.
9. The appointing authority shall arrange verification of all the clearance certificate of each appointee to D.A.O Mardan for the release of pay, further more the drawing and disbursing officer will not draw their salaries till the completion of verification process.
10. No TA/DA will be allowed to the appointee for joining his duty.
11. Charge report should be submitted to all concerned.
12. No TA/DA will be allowed to the appointee for joining his duty.

NOOR ZADA KHALOZAI
DISTRICT EDUCATION OFFICER
(MALE) E&SE MARDAN

Endst: No. 4712 (9) Dated Mardan the 4/5/2013

Copy forwarded for information and necessary action to the:-

1. PS to Secretary Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Director (E&SE) Khyber Pakhtunkhwa Peshawar.
3. District officer (Male) E&SE Local office.
4. Principal/headmaster concerned.
5. The candidates concerned.

[Handwritten signature]
DISTRICT EDUCATION OFFICER (MALE) MARDAN

[Handwritten signature]
DISTRICT EDUCATION OFFICER
(MALE) E&SE MARDAN
4/5/2013

[Handwritten signature]
ADVOCATE
SUPREME COURT

Annex - H

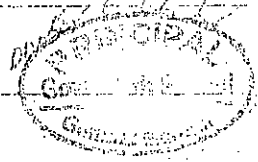
(For use in Police Department only).

- (I) Passed The SSC Exam under R/No. 11593 in 3rd Division mark secured ^{Heirs,} 391/850 from the Peshawar Board in 1987 (23)
- (II) Passed The F.A. Exam under R/No 11486 in 3rd Division mark secured 433/1100 from the Peshawar Board in 1990

Verification Roll No. dated

at

- (iii) Passed C.T in 1997 from the Assistant Director Examinations at PLTE N.W.F.P Peshawar under RNo. 1843 Marks secured 628/1200 and placed 2nd division. Left thumb-impression.



Qualification	Date	Qualifications	Date
English		First Arts	
Pashtu		B. L. or B. A.	
Voda		Pledership examination	
Plan-drawing		Training School Final examination	
Finger print		Other qualifications--	
Drill instructing			
Court duties			
Reserve duties			

Mr. O.P. Singh
 ADVOCATE
 SUPREME COURT

Note—The entries in this page should be renewed or re-attested at least every five years and the Signature to items 9 and 10 should be dated.

1. Name **SHER NAWAB.**

2. Race **AFGHAN.**

(24)

3. Residence **SHAKRAY BABA (KATLING)
MARDAN.**

4. Father's name and residence **Alom Khan. vill: Shakray baba
Katling MARDAN.**

5. Date of birth by Christian era as nearly as can be ascertained **8.4.1968** ✓

6. Exact height by measurement **5-6** ✓

7. Personal marks for identification **Black mole on Rt.
face**

8. Left hand thumb and Finger impression of (non-gazetted) officer

Little Finger



Ring Finger



Middle Finger



Fore Finger



Thumb



Mr. Anjad Ali
ADVOCATE
SUPREME COURT

9. Signature of Government servant

Sher

10. Signature and designation of the Head of the Office, or other Attesting Officer.

**Govt High School,
Gadh Kapura (Mardan)**

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. II.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term 'pay'	Date of appointment	Signature of Government servant
P.E.T / SW G.H.S.		B.P.S. No: 9	Rs. 1185-72-2265/-				(25) Signature of Government servant
Garki Karpura	Sub/perm		Rs. 1185/- fixed			11/5/93	Sub F.H
- Do -	- Do -	- Do -	Rs. 1185/-	Perm fixed 1-12-93			Sub
- Do -	- Do -	B: 9: Rs: 1605-97-306		Rs. 1605/-	Perm fixed 1/5/94		Sub
- Do -	- Do -			Rs. 1605/-	Perm fixed 3/1/94		Sub
G.H.S. Maranpura (Mandari)	- do -			Rs. 1605/-	Perm (Fixed) 20/12/94		Sub
- do -	- do -			Rs. 1605/-	Perm (Fixed) 1/12/95		Sub
G.H.S. Palanbhai (Mandari)	- do -			Rs. 1605/-	Perm (Fixed) 1/1/96 (FM)		Sub
S.V. Goud Maha D. D. D.				Rs. 1605/-		1/3/96	Sub

M. S. J. J.
ADVOCATE

(26)

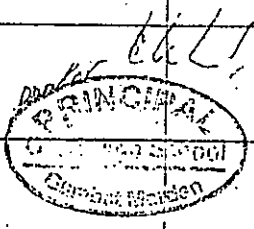
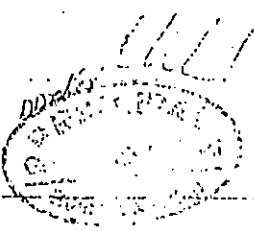
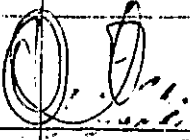
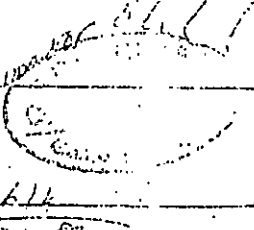
9 Signature and Name of the head of the office or other attesting officer in columns 1 to 8	10 Date of termination of appoint- ment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting Officer	13 Leave		14 Signature of the head of the office or other attesting officer	Reference to any record of punishment or censure, or reward or praise of the Government Servant
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debtiable to another Government		
					Period		
Principal G.H.S. Mardan	30-11-93	fixed	Principal G.H.S. Mardan		Appointed as untrained P.E.T at J.H.S. Kaku Khan and transferred against S.V. post at ... in B.P.S. No 9 P.O. H.B.S. 3.11.93. Mr. Arbi Khasa forward vide Director of Education (S; Mardan District Mardan No. 4930-724 12F Dated 11/5/93.		
Principal G.H.S. Mardan	31-5-94	pay revised	Principal G.H.S. Mardan				
Principal G.H.S. Mardan	31-7-94	services ceased	Principal G.H.S. Mardan				
Principal G.H.S. Mardan	19-12-94	Dismissed and transfered	Principal G.H.S. Mardan				
Head Master H.S. Kaku Khan (Mardan)	30-11-95	Annual leave	Principal G.H.S. Mardan		Verified from the Other School Record		
Principal G.H.S. Mardan	31-12-95	Transfered	Principal G.H.S. Mardan		Services w.e.f. 1-12-95 Verified from the Other School Record		
Principal G.H.S. Mardan			Principal G.H.S. Mardan		The services of Mr. Sher Ali S/o Alam Khan R/O Mardan were against P.E.T. (untrained) in Director Mardan District Mardan 8299-8304 Dated 24-4-93 and Kabo Khan (Swabi) and subsequently transferred against S.V. Post at S.H. Kaku Khan Mardan on the post of Mr. Zahir Ali S.O. S. Mardan W.F. from 31-7-44. vide of Secondary Education Mardan End. No. 1067-12/94.		
Principal G.H.S. Mardan			Principal G.H.S. Mardan		Services verified w.e.f. 12-12-95 to 30-11-95 from Attendance Roll and other record of this school.		

1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary	If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive Post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government
C.T GHS - Guinbat (Meredan)	off/Temp	B.P.S:15	Rs (81000-700-29500)				(28)
-do-	-do-	-	Rs=8500/- P.M			06/5/2013	[Signature]
-do-	-do-	-	Rs=9200/- P.M			01/12/2013	[Signature]
C.T GHS. Alo	do-	-	Rs. 9200/- P.M			09/06/2014 (A.W)	[Signature]
"	-do-	-	Rs 9900/- P.M			1.12.2014	[Signature]
-do-	-do-	B.P.S:15	Rs (10485-905-32135)				FOT 7/13
-do-	-do-	-	Rs 12795/- P.M			1.7.2015	[Signature]
-do-	do	-	Rs 13700/-			1.12.2015	[Signature]
12795/15	15	-	-	Pay Fixation in The R.P.S 2015	At Rs. 12795/-	1.12.2015	-
-	-	-	-	Pay Fixation in The R.P.S 2015	At Rs. 16870/-	1.7.2016	-
-	-	B.P.S 16.15 (A)	Rs (13510-1120-47110)				[Signature]
-do-	-	-	Rs 16870/- P.M			7/2016	[Signature]

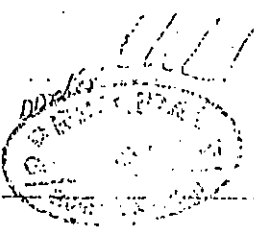
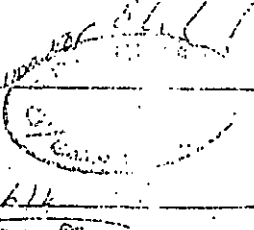
Pay Fixation in The R.P.S 2015
At Rs. 12795/-
1.12.2015

Pay Fixation in The R.P.S 2015
At Rs. 16870/-
1.7.2016

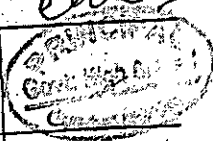
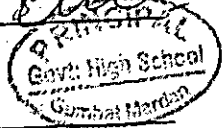
[Signature]
ADMINISTRATIVE
SUPREME COURT

9	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded proceedings or award or order of the Government Service
				Allocation of period of leave on average pay upto four months for which leave salary is debitab to another Government			
				Nature and duration of leave taken	Period Government to which debitab		
				<p align="center"><u>Appointment order</u></p> <p>Mr. Sher Nawab s/o A. M. Khan appointed against CT Post in the packed employees appointment notice No. PR 8PS/13 & RSL(8500-700-24500) PM Plus equal allowances Vide DEO(Mul) Mordon Encl No. 472/1 dated Mordon the 04-5-2013.</p>			
					<p align="center"><u>Pay Release</u></p> <p>Verification made by principal concerned and found correct in the light of these verified documents. The DEO(Mul) Mordon issued Pay Release order from date of taking over charge Encl No 6821-22 dated 22-6-2013.</p>		
			 ADVOCATE DISTRICT COURT				
				<p align="center"> DEO No. 52 From date of receipt by Lt. 33270/4 3580/4 10/6/13 No 30 E 4 30/13 213 B.F. 630 206 B.F.F. 2013 1-29414/ </p>			

(29)

DEO
 21/6/13
 70

9	10	11	12	13		14	15			
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government					
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Period	Government to which debitable	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.			
				<p>Service verified v.e.f. 6-05-2013 to 30-11-2013 from acquittance Roll and other record maintained in this office.</p> <p style="text-align: right;"><i>[Signature]</i> </p>						
				<p>Service verified v.e.f. 1-12-2013 to 9-8-2014 from acquittance Roll and other record maintained in this office.</p> <p style="text-align: right;"><i>[Signature]</i> </p>						
				<p>Service Verified v.e.f. 10.8.1962 To 31.12.2014 from the acquittance roll & other record of this office.</p> <p style="text-align: right;"><i>[Signature]</i> PRINCIPAL Govt. High School Alo (Mardan)</p>						
<p>Service Verified v.e.f. 1-1-2015 To 31.12.2015 from the acquittance roll & other record of this office.</p> <p style="text-align: right;"><i>[Signature]</i> PRINCIPAL Govt. H.S. Zamban Ali H.S. School Alo (Mardan)</p>										

30

[Signature]
 ADVOCATE
 SUPREME COURT

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

REMOVAL FROM SERVICE.

Where as Mr. Sher Nawab CT (B-15) Government High School Alo (Mardan) was in Involved in a murder case and was willful absent from his duty with effect from 08.09.2016.

And whereas a Show Cause Notice was Served vide this office No.9164 dated 18.11.2016, in this regard.

And whereas an absentee Notice published in the Daily Mashriq dated 14.02.2017 with the direction to resume his duty within 14 days after the publication of the Absentee Notice and to justify his absence failing which Ex-parte action will be taken against him, Where as he failed to resume his duty with in stipulated time.

Now, the undersigned being competent authority is pleased to impose Major Penalty of Removal from Service upon Mr. Sher Nawab CT (B-15) Government High School Alo (Mardan), from the date of his absence i.e. 08.09.2016.

Note:- Necessary entry to this should be made in his service Book.

(ZIA UD DIN)
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Endst. No. 2411-15 /Removal from Service file.

Dated 11/03 /2017.

Copy of the above forwarded for information and necessary action to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Police Officer Mardan.
3. District Monitoring Officer IMU District Mardan.
4. Principal GHS ALO Mardan.
5. District Accounts Officer Mardan.
6. Mr. Sher Nawab Ex-CT GHS Alo (Mardan).

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

ADVOCATE
SUPREME COURT

Handwritten notes in Urdu at the top of the page, including the date 16/9/23 and other illegible text.

IN THE COURT OF ADIL ZEB KHAN
ADDITIONAL SESSIONS JUDGE, MARDAN AT KATLANG

Handwritten notes on the right side, including '305', 'BBA', and a circular stamp with the signature 'Amir K' and the number '(34)'.

Petition No. 305/BBA of 2023

Sher Nawab etc. versus State

Order—06
16.09.2023

Handwritten notes on the left side, including the date 16/9/23 and other illegible text.

1. Imran Ali, Dy.PP for the State present. Accused/petitioners Sher Nawab and Sadat Khan present on ad-interim bail along with Muhammad Waqas, advocate. Complainant Hazir Shah in person present. Injured Said Wali Shah also present in person. Original record having Kaaf No. 261/23.
2. Accused/petitioners (1) Sher Nawab son of Alam Khan and (2) Sadat Khan son of Saifoor residents of Shekray Baba, Tehsil Katlang, District Mardan are seeking confirmation of their pre-arrest bail already granted to them vide order of the court of learned ASJ-VIII, Mardan dated 23.08.2023 in case FIR No. 564 dated 08.09.2016 u/s 302/324/34 PPC of Police Station Katlang, Mardan.
3. Today, complainant and injured appeared and stated at the Bar that they have effected compromise with the accused/petitioners during the trial of co-accused Said Nawab and have pardoned them in the name of Allah Almighty by waiving off their rights. In this respect, their statements were recorded which is reproduced in verbatim as under:

Stamp: "Copied to the Court" dated 19-9-23 with a signature.

"Stated that we have lodged FIR No. 564 dated 8.9.2016 u/s 302/324/34 PPC of PS Katlang, Mardan against the accused Sher Nawab sons of Alam Khan, and Saddat Khan s/o Saifoor Shah. At trial stage of co-accused with the intervention of elders of locality we have effected a genuine compromise with all the accused named above including acquitted co-accused namely Said Nawab and pardoned

Signature of the judge, Adil Zeb Khan, with the text 'ADIL ZEB KHAN' and 'SUPREME CLERK' below it.

18-9-23

SUBJ: ...
M. ...

5. Parties relied upon the compromise effected during the trial of acquitted co-accused Said Nawab and the said case file bearing No. 74/SC of 2020 is present before this court wherein complete compromise on prescribed proforma, Exh. PA has been produced while Hazir Shah (complainant), Said Wali (injured), Mst. Amna (injured) as well as legal heirs of deceased Balat Shah namely Mst. Naseehat (mother), Mst. Wajehat (sister), Imad Shah, Nihad Shah and Gul Shah (brothers) have recorded their joint statement vide which they had pardoned the acquitted co-accused as well as the accused/petitioners (absconders then). They had also endorsed no objection on the accused/petitioners. The factum of compromise was also authenticated by elders of locality namely Ashraf Khan and Sher Gul whose joint statement was recorded in this regard. So far as the injured Mst. Seema is concerned, as per notice returned today she is in Saudi Arabia for performing Umrah but at trial she was abandoned by prosecution as she had effected compromise with the accused

4. Record perused which transpired that accused/petitioners alongwith acquitted co-accused Said Nawab were charged for firing at Balat Shah, Hazir Shah, Said Wali Shah, Mst. Amna and Mst. Seema due to which Balat Shah was hit and died while complainant and Said Wali Shah, Mst. Amna and Mst. Seema sustained injuries.

them in the name of Almighty Allah by waiving off our rights of qisas and diyat and arsh etc. We have got no objection if this Hon'ble court confirm Ad-interim pre-arrest bail petition of them or acquits the accused named above from the charges leveled against them in the instant case at trial stage. In this respect compromise deed was already exhibited as Ex. PB while the proforma (two pages) Ex. PC, while, photocopies of our CNIC are Ex. PC/1 to Ex. PC/2 respectively."

16/9/23

~~~~~

35

(36)

party outside the court which fact is evident from order dated 13.06.2023.

- 6. From the above discussion, it is crystal clear that a genuine compromise has been effected between the parties. The factum of compromise is further authenticated from the joint statement of complainant and injured Said Wali Shah who endorsed no objection on confirmation of bail before arrest of accused/petitioners as they had effected compromise with the accused/petitioners during the trial of co-accused Said Nawab.
- 7. The offence for which the accused/petitioners have been charged is compoundable in nature hence the compromise is hereby accepted.
- 8. Hence, without touching the merits of the case and solely on the basis of compromise, the instant bail before arrest of accused/petitioners is hereby confirmed on the existing bonds. Copy of this order be placed on police and judicial file for record. Record be returned to quarter concerned and file of this Court be consigned to record room after its necessary completion and compilation.

**Announced**  
16.09.2023

*Adil Zeb Khan*  
 (Adil Zeb Khan)  
 Additional Sessions Judge,  
 Mardan at Katlang

|                                     |                  |
|-------------------------------------|------------------|
| Name of Applicant                   | <i>Wali Shah</i> |
| Date of Registration of Application | <i>18-9-23</i>   |
| Date of Hearing                     | <i>18-9-23</i>   |
| Date of Judgment                    | <i>19-9-23</i>   |
| No. of Pages                        | <i>63</i>        |
| Page No.                            | <i>110</i>       |
| Date of Judgment                    | <i>18-9-23</i>   |

*Adil Zeb Khan*  
 Certified to be True Copy  
*18-9-23*  
*M. Anjad xeri*  
 ADVOCATE  
 SUPREME COURT

(37)

Annex - L

محرمیت جناب پرنسپل صاحب گورنمنٹ ہیریڈلٹھان علی ہائیڈرینڈری مکول الو (مردان)

عنوان: درخواست مبرار بحالی سروس بحیثیت سی ٹی (BPS #15) ٹی  
ٹو پرائیویٹ

جناب عالی!

گزارش ہے کہ سائل آپ صاحبان کے زیر سایہ بحیثیت سی ٹی اپنے  
فرائض انجام دے رہا تھا۔ مورخہ 08/09/2016 کو IR نمبر 564 کے زیر دفعات  
302/324/34 فی جرم قرار دیا گیا اور 11/03/2017 کو از دفتر ڈسٹرکٹ ایجوکیشن آفیسر صاحب  
(مردان) مردان کے جاری کردہ مراسلہ کی مطابقت میں مورخہ 08/09/2016 سے ریفرام سروس کر  
دیا گیا۔ حالانکہ وقوع کے دن یعنی 08/09/2016 میں اپنا ڈیوٹی کر چکا تھا۔ اب مورخہ  
16/09/2023 کو عدالتی فیصلے کے مطابق 18/09/2023 کو اپنے فرائض سرانجام دینے کے لیے  
مکول حاضر ہوں۔

لہذا آپ صاحبان سے التماس ہے کہ مجاز آفیسر صاحب سے درخواست  
حاصل کر کے سائل کو بحیثیت سی ٹی (BPS #15) بحالی کے احکامات  
جاری فرمائیں۔

DEO (M) Mardan

The applicant Mr. Sher Nawaz CTC (S) GHS also  
received on 16/09/2023 with an application and  
a Court Order 06 (16/09/23) 07  
regarding his BBA 18/2023  
confirmation (Age 03) and with the request to be  
set aside his "removal from Service" order issued  
by worthy DEO (M) Mardan,  
(dated 11/03/2017 Enrth 2411-15)  
مذکورہ

عینے نواز سے ہوئی

العارض  
Sher Nawaz

آپ کا تابع فرمان: شیر نواز ولد عالم خان  
سکنہ منگرنے بابا تحصیل کائنگ ضلع مردان

Such request is forwarded  
to your honour for further  
necessary action.

نوٹ: درخواست ہذا کے ساتھ ضروری کاغذات کے بقول منسلک ہیں۔

Principal

GHS Also

PRINCIPAL 9.2.23 Eds. No = 429

16.9.2023 D.E.O.M. No 4989

Advocate  
SUPREME COURT



محکمات جناب ڈائریکٹر صاحب اسٹیٹ گورنمنٹ ہسپتال، ایف سی ایچ، ایف سی ایچ، ایف سی ایچ  
درخواست نمبر از عدالت کی سرپرستی کیلئے

(38)

لہذا عدالت کی

تقریر اس میں ہے کہ سائبر گورنمنٹ اسٹیٹ گورنمنٹ ہسپتال ایف سی ایچ ایف سی ایچ  
میں نمکنت میں پوسٹ ڈیولپمنٹ کے نام سے کیا گیا۔

سائبر گورنمنٹ ایف سی ایچ ایف سی ایچ ایف سی ایچ کے زیر دفتاریت  
13/3/2016 کو پولیس اسٹیشن کا سائبر گورنمنٹ ایف سی ایچ ایف سی ایچ کیا گیا۔

سائبر گورنمنٹ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ  
Remove from Service کر دیا۔

سائبر گورنمنٹ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ  
2016

سائبر گورنمنٹ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ  
2023

سائبر گورنمنٹ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ  
2023

سائبر گورنمنٹ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ  
اور جیڈ کے حوالے کیے ہیں۔

بہذا استدعا کی جاتی ہے کہ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ  
دوبارہ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ  
کا حیات و عائلہ ہوگا۔ رقم 16/10/2023

لہذا عدالت کی

شہزادہ عالم خان ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ  
ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ ایف سی ایچ

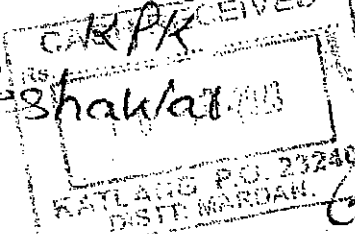
Advocate  
SUPREME COURT

(39)

RGL116756996

Director of Elementary  
& Secondary Education

Peshawar



*Amir*  
*A. Amjad Ali*  
ADVOCATE  
SUPREME COURT

*Ans-N*

Diary No: 325  
Date: 10.09.2016

(40)

To  
The District Education Officer (Male) Mardan

Subject: Application for grant of leave w.e.f 08.09.2016

Respected Sir,  
Applicant humbly submits as under:

It is respectfully submitted that I am serving as CT Teacher (BPS-15) GHS Alo Mardan. I am falsely implicated in a bogus FIR No 564 dated 08.09.2016 under section 302, 324, 34 PPC along with Said Nawab, Sajid and Saadat Khan. I am innocent and falsely charged. The enemies are after my life and there is severe threat to my life. I have not committed any offence. In these circumstances, I am unable to join duty and pose risk to my life as well as endanger the life of my colleagues as well as students. The contents of the FIR are based on malafide. I have no nexus with the commission of the offence.

There is earned leave available at my credit and therefore in the aforementioned circumstances, I request for grant of leave w.e.f 08.09.2016.

It is therefore humbly requested that I may please be granted earned leave w.e.f 08.09.2016.

Yours' Obediently,

*Sher Nawab*  
Sher Nawab  
CT Teacher (BPS-15)  
GHS Alo Mardan

Dated: 10.09.2016

*A. Amjad Ali*  
ADVOCATE  
SUPREME COURT

Aux-0

(41)

**THE KHYBER PAKHTUNKHWA REMOVAL FROM SERVICE  
(SPECIAL POWERS) (REPEAL) ACT, 2011.**

**(KHYBER PAKHTUNKHWA ACT NO. XIV OF 2011)**

**CONTENTS**

**PREAMBLE**

**SECTIONS**

1. Short title and commencement.
2. Repeal of the Khyber Pakhtunkhwa Ord. No. V of 2000.

*Alam Amjad*  
ADVOCATE  
SUPREME COURT

(42)

**THE KHYBER PAKHTUNKHWA REMOVAL FROM SERVICE  
(SPECIAL POWERS) (REPEAL) ACT, 2011.**

**(KHYBER PAKHTUNKHWA ACT NO. XIV OF 2011)**

*(first published after having received the assent of the Governor of  
the Khyber Pakhtunkhwa in the Gazette of Khyber Pakhtunkhwa  
(Extraordinary), dated the 16<sup>th</sup> September, 2011).*

**AN  
ACT**

*to repeal the Khyber Pakhtunkhwa Removal from Service  
(Special Powers) Ordinance, 2000.*

WHEREAS it is expedient to repeal the Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance, 2000 (Khyber Pakhtunkhwa Ord. No. V of 2000), for the purpose hereinafter appearing;

It is hereby enacted as follows:

1. **Short title and commencement.**---(1) This Act may be called the Khyber Pakhtunkhwa Removal from Service (Special Powers) (Repeal) Act, 2011.

(2) It shall come into force at once.

2. **Repeal of the Khyber Pakhtunkhwa Ord. No. V of 2000.**---(1) The Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance, 2000 (Khyber Pakhtunkhwa Ord. No. V of 2000) is hereby repealed.

(2) For removal of doubts, it is hereby provided that all proceedings pending, immediately before the commencement of this Act, against a person in Government service or Corporation service, under the Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance, 2000 (Khyber Pakhtunkhwa Ord. No. V of 2000), and rules made thereunder, shall continue under the said repealed law and rules in the manner provided thereunder.

(3) Subject to sub-section (2), on the repeal of the said Ordinance, all disciplinary matters relating to persons in Government service, to whom the Khyber Pakhtunkhwa Civil Servants Act, 1973 (XVIII of 1973) and the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 1973, apply, shall be governed under the aforesaid Act and the rules made thereunder and persons in corporation service shall be governed under the law applicable to them and rules and by-laws made thereunder.

  
AMIR AMJAD SERI  
ADVOCATE  
SUPREME COURT

بعد الت صاحب سروس ٹریڈینگ کمپنی لاہور

(43)

2023ء منجانب ایسا انفر

12/12/23

مورخہ:

مقدمہ:

دعویٰ:

جرم:

بنام:

سروس ٹریڈینگ کمپنی لاہور

سروس ٹریڈینگ کمپنی لاہور

مقدمہ مندرجہ عنوان بالا اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام لاہور کیلئے امجد علی ایڈووکیٹس، سپریم کورٹ آف پاکستان ایسٹ روڈ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء وصول چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زاریں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختیار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو کبھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ و جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔

لہذا وکالت نامہ لکھ دیا کہ سنڈ رہے

المرقوم:

28/2/23

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العبد

گواہ

بمقام عطا اور کے لیے منظور ہے

Amjad Ali  
SUPREME COURT

Handwritten signature

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0321-9882434 0321-9870175

امجد علی ایڈووکیٹ سپریم کورٹ آف پاکستان، ٹسڈکنٹ کورڈس، مردان